IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH AT HYDERABAD

THE HONOURBALE SRI JUSTICE N.V.RAMANA

W.P. No. 16958 OF 2005

Dated : March 28, 2006

Between:

S.Parameshwar Rao

Petitioner

AND

The Regional Manager,
APSRTC, Warangal Region,
At Hanamkonda and another.

Respondents

THE HONOURBALE SRI JUSTICE N.V.RAMANA

W.P. No. 16958 OF 2005

ORAL ORDER:

The case of the petitioner is that he was selected to the post of driver after following due process of selection and as per the norms of the respondent – Corporation, he worked at Jangaon, Narsampet, Parakal and Thorrur, etc. on daily wages. While so, during the period of strike in October, 2001, the petitioner was directed to report duty through by way of paper notification, but due to lack of

information, he did not report to duty on or before 15.10.2001 for engaging him as Daily Wage Driver, but since the petitioner failed to report to duty, his names was deleted from the selection list. Therefore, the petitioner came up with this writ petition seeking a direction to the respondents to restore his name in the list of selected candidates protecting his continuity of service.

The grievance of the petitioner is that he was not served with any notice directing him to attend for duties during the strike period and, therefore, he was not aware of the alleged paper notification, said to have been issued by the respondent – Corporation.

When the matter is taken up for hearing, it is represented by the learned counsel for the petitioner that under similar circumstances, this court held that deletion of names from the approved list without conducting any enquiry is bad and, therefore, sought for a similar direction.

Heard the learned counsel for the petitioner and the learned Standing Counsel for the respondent – Corporation.

As the petitioner was selected and empanelled for being engaged as driver, his name cannot be deleted from the list unless there is any justifiable reason and that too without conducting enquiry. But, the respondents deleted the name of the petitioner on the premise that he

did not respond to the paper notification, for which the petitioner claims that he was not aware.

Under the above circumstances, the writ petition is disposed of, directing the respondents to restore the name of the petitioner in the selected list of drivers and provide the work as is being given to all the empanelled drivers. No order as to costs.

N.V.RAMANA, J.

March 28, 2006
MAS.